## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSCETTS

Mark Cook,

Plaintiff,

v. : Civil Action No.: 1:10-cv-10341-DPW

Ashton & Weinberg, Inc.; and DOES 1-10,

Inclusive,

Defendants.

## NOTICE OF WITHDRAWAL OF COMPLAINT AND VOLUNTARY DISMISSAL OF ACTION WITH PREJUDICE PURSUANT TO RULE 41(a)(1)(A)(i)

Plaintiff, Mark Cook, by his attorney, hereby withdraws his complaint and voluntarily dismisses this action, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

Dated: October 14, 2010

Respectfully submitted,

By /s/ Sergei Lemberg

Sergei Lemberg (BBO# 650671) LEMBERG & ASSOCIATES L.L.C. 1100 Summer Street, 3<sup>rd</sup> Floor Stamford, CT 06905 Telephone: (203) 653-2250

Facsimile: (877) 795-3666
Attorneys for Plaintiff

## **CERTIFICATE OF SERVICE**

I hereby certify that on October 14, 2010, the foregoing was filed with the Clerk of the Court via the CM/ECF system which sent notice of such filing to the following:

John J. O'Connor Peabody & Arnold, LLP Federal Reserve Plaza 600 Atlantic Avenue Boston, MA 02210-2261

> By <u>/s/ Sergei Lemberg</u> Sergei Lemberg